

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 5:13CR13DCB-FKB

HECTOR MIGUEL DIAZ-OSUNA  
a/k/a Pariente

ORDER CONTINUING CASE FOR TRIAL

This cause having come before the Court on the joint motion *ore tenus* from the defendant and the government to continue the trial of this case on grounds that the defendant has been ordered to undergo a mental health examination in accordance with the provisions of Title 18, United States Code, Sections 4241 and 4247 prior to trial . The Court finds that pursuant to Title 18, United States Code, Section 3161(h)(1)(A) the period of delay caused by the necessity of the examination of the defendant to determine his mental competency should be excluded in computing the time within which the trial of the offenses listed in the defendant's indictment must commence. Furthermore, the defendant has expressly acknowledged approval of the delay of trial and agrees to this continuance.

THEREFORE, the Court is of the opinion and so finds that the motion for a continuance of this matter should be granted; and that for the reasons set forth herein, that the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial and the failure to grant the continuance would result in a miscarriage of justice.

IT IS THEREFORE ORDERED AND ADJUDGED that the motion to continue this matter for trial is granted.

IT IS FURTHER ORDERED that the trial of this matter is re-set for September 14, 2015, at 9:00 a.m. in Jackson, Mississippi.

SO ORDERED, this the 2<sup>nd</sup> day of June, 2015.

s/ David Bramlette  
SENIOR UNITED STATES DISTRICT JUDGE